

**DEPARTMENT OF GENERAL SERVICES  
OFFICE OF PUBLIC SCHOOL CONSTRUCTION**1130 K STREET, SUITE 400  
SACRAMENTO, CA 95814<http://www.dgs.ca.gov/opsc>

April 6, 1998

Mass Mailer #98-05

To: All County Superintendents and School Districts that have Deferred Maintenance Critical Hardship Projects

Subject: **SPECIAL ADVISORY REGARDING DEFERRED MAINTENANCE CRITICAL HARDSHIP PROJECTS**

This advisory is to remind school districts that Deferred Maintenance Program critical hardship projects are subject to all Public Contract Code (PCC) provisions relating to contracting requirements. The PCC includes an emergency provision for contracting without going out to bid. Because the State Allocation Board (SAB) provides what is in effect 100% funding for these projects, the following information must be included when requesting funding from the SAB:

For a new request for a Deferred Maintenance Critical Hardship project, the district must include a certification with the application that:

- The district will follow the PCC.
- That the contract(s) will be executed prior to any work being performed on the project.
- That the district obtain its legal counsel approval on each contract.

For a request for an increase in the funding for a previously approved critical hardship project, the district must submit a certification with the request that:

- The district has on file contract(s) for all work performed on the project to date.
- The contract(s) were entered into in accordance with the requirements of the PCC, either pursuant to competitive bidding or the emergency contracting process.
- The district has on file the district's legal counsel approval of the contract(s).

Please note that these projects are subject to audit and failure to substantiate conformance with these guidelines may result in a disapproval of expenditures.

Districts are also advised that any requests for increased critical hardship funding must include specific information identifying the additional work needed, a statement as to why the additional work is necessary, a detailed cost estimate which outlines the work and the cost of the work completed under the initial approval and the estimated cost and specific work needed to complete the project.

Once the Office of Public School Construction (OPSC) receives and reviews the request for increased funding, a recommendation for additional funding based on that review will be made to the SAB. If funding is not available by the SAB to fund the additional acceptable work, the district's

request for increased funding will be placed on an “unfunded” list and receive top priority for funding when funds become available.

If you have any questions regarding this matter, please contact Audrey Edwards at (916) 327-9249 or [auedward@dgs.ca.gov](mailto:auedward@dgs.ca.gov), via the internet.

Sincerely,

TED W. DUTTON  
Executive Officer

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